

REMARKS

In the outstanding Official Action, claims 1 and 2 were rejected under 35 USC 102(e) as being anticipated by Brocheton, with claim 2 being additionally rejected under 35 USC 103(b) as being unpatentable over Brocheton in view Van Dulmen et al, for the reasons of record.

In response, claim 1 is herewith amended in order to more particularly and precisely define the novel and unobvious subject matter of the instant invention, and it is respectfully submitted that claim 1, as herewith amended, and claim 2 depending therefrom, are now clearly patentably distinguishable over the cited and applied references for the reasons detailed below.

As herein amended, claim 1 now recites, *inter alia*, an electric automotive signal lamp having a red glass envelope comprising SiO₂ between 60 and 72% by weight. This composition, as now more specifically and precisely recited, is directly contrary to the cited and applied teaching of Brocheton, wherein the percentage by weight of SiO₂ is expressly disclosed as between 30 and 52%. It is therefore respectfully submitted that the anticipation rejection of claims 1 and 2 is clearly overcome.

Additionally, it is noted that Brocheton is directed to "ophthalmic glasses" that absorb UV radiation, and that the "obtention of colorless glasses is the primary objective of the

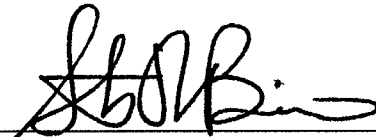
invention" (col. 2, lines 58-60). Thus, Brocheton is clearly further distinguishable from the instant invention, which is expressly directed to electric automotive signal lamps having red glass. It is recognized that Brocheton does mention that various different colors of glass may be obtained, although that is not the primary objective of the invention, and such glasses are suggested to be useful notably for the manufacture of lenses for sunglasses (col. 2, lines 66-67).

With respect to the obviousness rejection of claim 2 over Brocheton in view of Van Dulmen, it is noted that although the latter reference teaches the compositions lacking in Brocheton, there appears to be no suggestion of employing such compositions to secure a red-colored glass. Furthermore, since the composition of SiO_2 in Van Dulman is directly contrary to the corresponding teaching in Brocheton, these teachings are inherently contradictory, and there is no apparent reason or basis for combining these teachings absent the benefit of impermissible hindsight derived from the instant disclosure. It is suggested in the Action that it would have been obvious to combine these teachings because this combination would provide the red glass required in the invention, but it is respectfully submitted that this is merely another way of saying that once one is aware of the instant invention from the present disclosure, then one could go

back into the prior art and make a combination which would otherwise be inappropriate and unobvious because the references contain clearly different teachings.

In view of the foregoing amendments and remarks, it is respectfully submitted that claims 1 and 2 are not anticipated by Brocheton, and that claim 2 is not rendered obvious by Brocheton in view of Van Dulmen. Accordingly, it is respectfully submitted that allowance of the currently-pending claims is justified at the present time, and favorable consideration is earnestly solicited.

Respectfully submitted,

By 

Steven R. Biren, Reg. 26,531
Attorney
(914) 333-9630